++NEW YORK, THURSDAY, FEBRUARY 9, 1905. - Copyright, 1905, by The Sun Printing and Publishing Association.

SPOTTED WHEN THEY SPAT

SUBWAY AND THE STREET.

Arrests All Over Town by a Watchful Squad of Health Board Cops-"Means Husiness." Says Dr. Darlington-

The Health Department has begun a crusade against street spitters, and many nen were arrested last night in this borough, Twenty-five Sanitary Squad policemen were

ing to keep after offenders until they wake up to the fact that he means business. He meant so much business last night that two arrests were made in the lobby of the Metropolitan Opera House.

Heretofore the spitter has been pursued n the cars, both elevated and surface, and few have been arrested on the street. Persons who have been caught on the street eretofore lave first been warned and rested only when they failed to obey the

No warnings were given to those arrested last night, and Dr. Darlington says none will be given in the future. From the home of a friend in Brooklyn last night Dr. Darlington made this statement:

The public has been warned time and again that expectoration on the streets, in cars and ferryboats and in all public places must stop. Notices to this effect, cars, but the spitters continue to spit, never-The average man who is in the habit of expectorating every few minutes seems to take these notices as a joke. When he is arrested he always pleads that he didn't know he was violating the law. That should not be taken as an excuse here-

after Every day complaints of this evil arrive at the Health Department, and two days They took no concerted action until last night, because of other work they had to five policemen are apt to be turned loose in the streets every night I think the street police station. evil will abate to a great extent.

spitting is done more in the subway stations and elevated platforms than elsewhere. Many complaints have come in about the spitters around the lobbies of theatres, particularly between the acts."

Dr. Darlington sad he couldn't remember any specific complaint that had been sent to the Health Department, but from another source it was learned that the large majority of complaining letter writers were women. The kicks for the most part had to do with the Broadway spitters and those in the theatre lobby. One woman wrote:

'It's a shame and an outrage the way my new white gown has been ruined by tobacco stains, and I have only worn it

Among the spitters gathered in last night was John Delahunty, the lawyer, who is Richard Canfield's personal counsel. Mr. Delahunty lives at 117 West Twelfth street. He paid \$7 for a ticket for the opera last silk hat and dress clothes he stood puffing a cigar in the lobby, waiting for the per-

Policeman Henry Ruppert's gaze lighted on the lawver, and he says he saw him spit. Mr. Delahunty says it was a piece of his cigar that landed on the marble floor. In the Tenderloin station the lawyer told

who he was and repeated that he did not spit on the floor.

I charge him with spitting," said the cop, and that was the charge.

Mr. Delahunty wasn't looked up. Jacob Meyers, a theatrical agent, of 101 West Fifty-second street, was just being bailed out for the same offence by James Fitzgerald, a saloonkeeper. Fitzgerald went hail for the lawyer at the solicitation of a busy man who happened to be in the police station and who liked the cut of Mr. Dela-

There was another arrest in the corridor of the opera house. This prisoner said he was W. L. Dennis of Bound Brook, N. J. He was standing in the lobby waiting for the performance to begin, and with him was a man friend. When Dennis was arrested he protested and said he was from out of own and could not be expected to be familiar with this city's blankety-blank sanitary laws. His friend, who was not arrested, was just as vehement. Both went to the Tenderloin station. There Dennis's friend spied a crowd of reporters and policemen standing in a corner using the floor for a

"Why don't you arrest those fellows?" said he, but no one gave him an answer. Dennis was locked up and his friend went hustling for a bondsman. He hadn't

found one up to 10 o'clock. The other prisoners locked up in the Tenderloin station were Max Glattstein of 136 Avenue A, who was caught in the subway station at Fourth avenue and Fourteenth street; John H. Mason of 22 East 102d street, who spat on the street in front of Weber's Music Hall, and John Moses of 32 West Thirty-first street, who was arrested in front of Daly's. For the release of each prisoner \$100 bail was demanded.

George Peters, a butler, of 59 East Fiftythird street, was arrested on the platform of the Third avenue elevated at Fortysecond street. William Hess, a brakeman on the New York Central living in Utica. N. Y., was taken in at the elevated station infront of the Grand Central station. Charles Shober of 27 Manhattan street and William Duffus of 123 West Sixty-third street were arrested at the same place. All of these were locked up in the East Fifty-first street

Percy Williams of 320 Fleet street, Brookn, was arrested on the downtown platform of the Ninth avenue elevated at Fifty-

William Davis, a negro, of 152 West Twenty-seventh street, was caught violating the ordinance on a southbound Sixth avenue train after it left the Thirty-first street station. When Polloeman Clancy told him he was under arrest Davis asked

"Ye wure spittin' on the flure," said the

"Whar is Ah gwine tah spit? On you?" queried the negro. Davis was locked up in the West Sixty-

DEWEY'S PORT WINE & GRAPE JUICE H.T. Dewey & Sons Co., 138 Fulton st., New York.

Metropolitan Opera House Ballet
At Arion Masquerade Ball, Madison Square Garden,
Enday, February 10.—Ads.

eighth street station at about the same time as was Leo Hirschkowitz, a butcher, of 18 West 131st street, who was caught at

the subway station at Sixty-sixth street. IN OPERA HOUSE LOBBY, THE In Harlem Health Board policemen am- THE N. Y. CENTRAL'S SOUTHbushed spitters in subway and elevated stations for the most part. Those arrested were very angry, and said so twice, once to the cop who arrested them and again to the desk sergeant at the police station.

William C. Nelson of 620 West 143d street, Lawyer John Delahunty One of Victims. | who said he was an artist on the World was arrested on the 125th street and Third avenue elevated station. Othersarrested for spitting were Benjamin Schmersky of 10 East 130th street, Isaao Strauss, a real estate dealer, of 229 West 129th street, and arried loose last night and told to go after | Philip Rivett of 127 East 122d street.

Walter Schneelock of 181 Prospect place. It was Health Commissioner Darlington Brooklyn, was caught on the platform who sicked them on, and he says he is go- of the elevated station at 125th street and Eighth avenue. At the West 125th street police station, Schneelock said to the desk

"Well, this settles Harlem's hash for me. Never again will I put my feet north of 110th street.

Later on, Schneelock furnished \$100 bail and was released. Richard Bauer of 42 Broadhurst avenue. waiting for an elevated train at 145th street

and Eighth avenue, was arrested by Police-

man Smith. He told the policeman he

was willing enough to go along with him, but, "Ain't that a fool law," said he. Edward Dunn, a ticket speculator, of 200 West Forty-second street, was arrested in front of the Metropolitan Opera House, and later on the same officer of the Health Board squad arrested Charles Green of 917 Manhattan avenue, Brooklyn, and with the penalty attached, are in all street Jacob Beerbower of 142 West Fortieth street at Broadway and Fortieth street also for spitting on the sidewalk.

Among three spitters arrested at the Fourteenth street station of the subway was Francis E. Smith of Boston. The gers abound the Limited became panicothers arrested there were Frederick Legenberg of 158 West Twentieth street and

Martin Edelstein of 18 East 109th street. Magnus Wengberg of 758 Elton avenue, The Bronx, was meditatively spitting on ago I issued orders to the policemen of the elevated station platform at Twentythe Sanitary Squad to go after the spitters. | third street when a Health Board policeman gathered him in. John J. Tiernan of 198 East 122d street was arrested at the When it becomes known that twenty- Twenty-third street station of the subway. All were taken to the East Twenty-second

The complaints recently made say that BIG EXPLOSION UNDERGROUND. 10,000 Pounds of Dynamite Play Havoe in

the Osceola Mine-3 Known Dead. CALUMET, Mich., Feb. 8 .- An explosion of branch of the Osceola Consolidated mine this afternoon is known to have killed three and severely injured seven. Others may be dead.

The dynamite was kept in a magazine underground in charge of William Pollitt, Jr., who was one of the killed. The force of the explosion was felt three miles. Men working far from the scene of the explosion were thrown down and seriously

As soon as the accident was reported at the surface, a rescuing party was sent down No. 1 shaft, a mile away, and many were brought to the surface unconscious. Six it was brought to a stop. members of the relief party were overcome night and went to the Metropolitan. With by the gas and smoke, but were revived on café car, the breaking of the forward axle being taken to the surface

There is no trace of Pollitt, and it is believed that he was blown to atoms. The mine is so badly damaged that it will be out of commission for fully a month. The shaft and rock houses on the surface

are badly damaged. It is believed there are four or five men still underground and if they have survived the ordeal of gases and smoke their escape will be impossible, as the Osceola company is sealing the shafts to prevent the spread of the fire.

JORDAN MARSH CO. ROBBED. Big Boston Store Said to Have Lost Over \$150,000 Through a Conspiracy.

Boston, Feb. 8.—Details of what appears to have been a bold and successful conspiracy to rob the department store of the Jordan Marsh Company of thousands of dollars are slowly coming out. The plot involves men employed by the concern and people outside, some prominent in business. According to a report which seems to be authentic the firm has lost between \$150,000 and \$200,000 since the latter part of September.

So far only one man has been arrested. On Monday Dennis H. Carroll, 31 years old, a resident of Dorchester and connected by marriage with a prominent Democratic politician here, was arrested on a warrant charging him with the larceny of \$4,610 from the Jordan Marsh Company between Oct. 6 and Jan. 19. He was arraigned in court and held for a further hearing. To-day Carroll was again arrested. this time on a warrant charging him with

stealing \$13,000 on Jan. 19 last. The police are looking for a number of others in the conspiracy who have left town. Two men employed by the firm have disappeared, and it is said here that the firm has offered \$1,000 reward for the apprehension of one of them who appears to

have been the ringleader in the scheme. The money was secured, it is charged, by means of fake invoices, and in order to have the plan work successfully it was necessary to have people employed in various departments in the deal. When the spurious invoices finally reached the cashier's department, as they had been properly O. K'd by people through whose hands they passed, checks were sent out to the fictitious concerns and were cashed by certain of the conspirators, who later

BISHOP M'LAREN DYING HERE. An Old Heart Affection Stirred Up by Attack of Bronchitis.

divided the money.

Bishop W. E. McLaren of the diocese of Chicago is very ill in this city, and it is not expected that he will recover. He is at a boarding house at 91 Madison avenue and his wife and three daughters are with him. The Bishop came to this city more than six weeks ago and was taken ill with bronchitis. This malady stirred up the angina pectoris from which he had suffered occasionally for several years. Bishop McLaren is 73 years old and he has been growing weaker every day. Dr. William

Bishop McLaren had to give up the active upervision of his diocese two years ago. Coadjutor Bishop has been officiating

THE TIME TO GO TO WASHINGTON via Pennsylvania Railroad tour leaving New York Tuesday. February 21. Round trip rate and all necessary expenses for three days, \$12.00 and \$14.50, according to hotel selected. Consult C. Studds, E. P. A., No. 268 5th Ave., New York.—Adv.

Niagara Falls only nine hours from New York the New York Contral - Adv.

RAN 700 FEET ON THE TIES.

WESTERN LIMITED DERAILED.

Although Going at a Speed of 60 Miles an Hour. Not a Coach of the Long Line Tipped Over-Engine Never Left the Track-No Passenger Seriously Hurt.

UTICA. Feb. 8 .- Train No. 11, the Southwestern Limited, on the New York Central Railroad was derailed at St. Johnsville. thirty miles east of this city, at 8:10 o'clock to-night. The breaking of a coach axle was responsible for the accident. With the exception of the locomotive the entire train left the rails and travelled over the ties for a distance of nearly 700 feet. No one was killed and no one seriously injured, although all the passengers received a bad shaking up and a dozen or more suf-

fered slight bruises. The Southwestern Limited is one of the heaviest trains running west over the New York Central and its scheduled speed is close to fifty miles an hour. It left Albany on time, at 4:20 o'clock this afternoon, and at 6 o'clock was rushing through the village of St. Johnsville at a sixty mile an hour clip when the axle on the forward truck of the café car, the second from the loco- to jump. motive, spapped at the journal box and in an instant the entire train was bounding over the ties. The couplings and air hose remained unbroken, and after traversing about 700 feet the train was brought to a standstill. Not a coach of the long line of Pullmans or day coaches tipped over and

the locomotive was not derailed. With recollections of Saturday morning's disaster at Whitesboro still fresh in their minds, the two hundred or more passenstricken and rushed from the train as soon as its wild course had been checked. Grips and wraps were abandoned by the passengers, who had a mind only to their personal

safety. The first duty of the trainmen after looking out for the welfare of the excited passengers was to take account of the seriousness of the accident and take precautions against any possible additional disaster from oncoming trains. Flagmen were despatched eastward and westsummoned to the scene, as it was feared at first that there had been loss of life and

serious injury to many. Investigation revealed the fact that no one was seriously hurt, though many of 10,000 pounds of dynamite at the eighth the women passengers became hysterical level of Shaft No. 3 of the North Kearsarge | when brought to a full realization of their narrow escape. Practically the entire train in its flight over the ties deviated less than fortune laid up in Manhattan Elevated. four feet from the rails on which it had been speeding. Its terrific momentum alone saved it from being thrown into the ditch, according to railroad men who were early on the scene. Had such a thing occurred,

the loss of life would have been appalling. Track No. 2 was torn up for a distance of 500 feet, and a section of track No. 1, the of shape for a distance of 100 feet by the he died." rear truck of the rear day coach of the train swerving around a moment before

The greatest havoc was wrought in the which caused the derailment. A number of passengers were partaking of dinner at the time, and when the car left the rails these passengers were bounced around like rubber balls, while dishes and food went sailing through the air. One passenger in describing his experience said that he was seated at the table when the car was derailed. The next moment he said he was under the table, then on top of the table, and in another second

found himself suspended in the air with one foot dangling through a broken window. The passengers on the wrecked train were transferred to another westbound train an hour after the accident and continued on their journey westward. Wrecking crews were summoned from this city and Albany and the work of placing the train back on the track was begun at 10 o'tlock to-night. Traffic was not seriously impeded by the accident.

ANOTHER TWO GUNHOLD-UP TALE Four of a West Side Gang Arrested, Includ-

ing Kid Curtis, the Hero. Henry Ziquers, who runs a little two and-a-half-cent poolroom in the basement of 174 Eighth avenue, was doing a thriving siness late yesterday afternoon when the little room, already crowded, was filled to overflowing by the arrival of half a score more young men. Ziquers didn't want the newcomers, who were a gang of young toughs, well known on the lower West

"You fellows will have to get out," he The gang was led by "Kid Curtis," who says that his right name is Dave Kennedy. He has done time in Elmira. According to Ziquers the Kid drew a couple of revolvers and flourished them. Then he advanced further in the room. advanced further in the room.

"Hands up!" he cried "and be quick about it, too!"

verybody in the place was quick about Then Oliver Magnum, a dwarf who acts as Ziquers's helper, was compelled to explain to some of the gang how to open the money drawer. The young toughs cleaned it out, getting away with about \$10. The gang backed out while the Kid pro-tected their retreat with his revolvers. Then he joined the others. A week ago a Saturday night the same gang, Ziquers on Saturday night the same gang, Ziquers believes, paid a visit to his place. On that occasion they started a fire on the floor with a bundle of paper, and in the excitement rified his cash drawer, getting \$4.

Ziquers went to the West Twentieth street station last night and told his story to the rollice and Detectives Riley. Glennon to the police, and Detectives Riley, Glennoi and Adams went out to see what they could

They ran across the gang at Seventh avenue and Nineteenth street, and after a chase of two blocks managed to arrest four, the Kid included. Curtis had one pistol when he was ar-

FAREWEEL TO T. W. HYNES. Dined by His Friends in the St. Vincent

de Paul Society of Brooklyn. A farewell dinner was given to Thomas W. Hynes by 175 of his friends in the St. Vincent de Paul Society at the Assembly, Brooklyn, last night Mr. Hynes has been president of the Particular Council of the Brooklyn Society of St Vincent de Paul for thirty-two years. He sails next Monday to take up his duties as auditor of Porto Rico, to which office President Roosevelt

James J. Greene acted as toastmaster.
Among the speakers were Vicar-General
P. J. McNamara, Aifred J. Tully, the Rev.
Dr. W. J. White and the Rev. E. W. McCarty.

Dr. W. J. White and the Rev. E. W. McCarty.

Wheatens for breakfast—the whole wheat minus the husk and starch. Wheaty in flavor, sweet as a nut, restores muscle, nerve, brain—Ads.

FERRY PASSENGERS IN PANIC. ARMY POST ROBBED OF \$5,000. Fire in Men's Cabin Causes Wild Rush Forward-Police Subdue Passengers.

A slight fire in the rear of the men's cabin of the ferryboat Fulton as she was entering her slip at the foot of Fulton street, Brooklyn, during the rush hour last night

caused a panic among the passengers. The occupants of the men's cabin who saw the fire, rushed to the bow of the boat, which had great difficulty in getting into her slip owing to the ice that was packed between the ferry racks. Many excited men attempted to jump to the landing bridge as the boat bucked in against the Roundsman James Thompson and Dean

and McDonough were on duty at the ferry entrance, and seeing the frantic men they rushed to the bridge. All three cops called out to the paniestricken passengers to stand still until the boat was safely moored, but this didn't have much effect. McDonough finally climbed out on the

icy rock and dropped to the deck of the boat as she made another attempt to break the ice. Flourishing his club, he threatened to knock down the first man that attempted In this way Thompson managed to drive

the frightened passengers back in the wagon runway and this served to raise the boat's bow so that the next attempt to make a landing was successful. When the boat was fastened and the

gates opened there was a great rush, but no one was seriously injured. The fire was quickly extinguished by the

PITTSBURG PHIL LEFT \$1,500,000. Friend Says He Saved Money, Including a Big Block of Manhattan Elevated.

PITTSBURG, Feb. 8 .- The late "Pittsburg Phil" left a fortune of not less than \$1,500,-000, according to John Staley, the well known Pittsburg sporting man, who was the lifelong friend of the plunger. Mr. Staley said to-day:

"Phil was a far more wealthy man than ward and surgeons in St. Johnsville were many people supposed. For years past he had thought he was not long for this world and he began putting his money where it would do his folks some good. For instance, up in the vicinity of Seventysecond street, New York, he has a piece of property which alone is worth more money than some people gave Phil credit for having altogether, and then he left a small

"The Elevated stock he bought some years ago and I was with him when he did it. He put down a cold \$600,000 for it at 140. That same stock sold to-day for something near 174. He did not buy it as a speculation, but as something to hold, and he had it when he died. Phil was worth every cent of \$1,500,000, and it is too bad eastbound, was smashed and twisted out | that he died without a will, as I now know

BLUEBEARD, TRIUMPHAL,

Regins His Progress Back to Chicago whom--Women Crowd to See Him.

hann Hoch described as Chicae Riueheard and the husband of some forty wives, started for Chicago yesterday. Hoch was taken before Assistant District Attornev Perkins by Detective Sergeants Fove and Fogarty and Detective Loftus of Chicago and waived extradition. The detectives hustled him over to the Lackawanna railroad station in Hoboken so that he

wouldn't miss the 1:45 train. Hoch enjoys the notoriety he is getting. A crowd of 500 persons fought to get a look at him. "Ain't I a dandy?" he said. "I'm famous, vhat?"

"I'm a first class, high toned gentleman," he told the detectives, "and I ain't no loafer." Hoch had to dodge to get away from a line of cameras, but when finally cornered he threw up his hands and yelled:

"Don't shoot, I surrender." About fifty women were so anxious to see the attractive man that they crowded against the car he was in and a few of them tried to get their faces up against the window pane. Hoch lifted the window. "Rubbernecks, ach! Rubbernecks," he

shouted. The women were satisfied, for when he stuck his head out of the window they got a better look at him. A young woman "special commissioner" from a Chicago paper accompanied him back. CHICAGO, Feb. 5.—Hoch will be held pending the Coroner's inquest on the death of Mrs. Bertha Wolker-Hoch, in whose stomach arsenic has been found. It is said that the police will seek Hoch's indictment on the charge of murder immediately upon the convening of the next Grand Jury.

MRS. FISKE A PLAYWRIGHT. Says She Helped to Build "Leah Kleschna" and Has Letters to Prove It.

Minnie Maddern Fiske helped to write "Leah Kleschna," the play in which she is now appearing at the Manhattan Theatre. according to an announcement made at the theatre last night, and C. M. S. McLe lan, whom the programme credits with being the sole author, has no business to dispose of the English rights of the play to Frohman made it known on Tuesday that he had secured the English rights of the play from Mr. McLellan and that Charles Wyndham would produce it at his theatre in London on April 25.

The announcement is far from place. Charles Frohman or any one else. Mr.

The announcement is far from pleasing to Mrs. Fiske or her manager-husband, whose intention it has been to have Mrs. Fiske play "Leah Kleschna" in London. The play has been an immense success here, and there isn't any reason to believe that it wouldn't do as well in England. Consequently, Mrs. Fiske is angry. This statement was issued last night with her consent:

"The English rights to "Leah Kleschna" belong to Harrison Grey Fiske. Mr. Fiske, to whom Mr. McLellan gave an option on the English rights of this play, has exercised that option. If Mr. McLeilan has made a the English rights of this play, has exercised that option. If Mr. McLellan has made a contract with any other manager his action is incomprehensible in view of the fact that Mrs. Fiske collaborated with Mr. McLellan on the play as it is presented at the Manhattan Theatre.

"This collaboration, although unacknowledged, occupied Mrs. Fiske the entire summer, and Mr. McLellan in letters to Mrs. Fiske expressed to her his appreciation and gratitude for this collaboration.

Mrs. Fisce expressed to the his appre-ciation and gratitude for this collaboration. Mr. McLellan submitted his original play to several prominent American managers, but failed to secure a production until Mrs. Fiske accepted it."

Latest Marine Intelligence.

Arrived : Ss Trinidad, Bermuda, Feb. 6.

SUPPLIES STOLEN WHOLESALE AT FORT HAMILTON.

Many Saloons in Neighborhood Raided and a Large Part of the Loot Recovered-Soldiers Exchanged the Booty for Drinks-Much Wanted Private Vanishes.

As a result of investigation of the Quarermaster's Department and the taking of stock in the storehouse in the United States reservation at Fort Hamilton, Col. Greenough, the commandant of the post, sent a provost guard yesterday to several of the saloons in the vicinity and raided them in the name of Uncle Sam, in search of uniforms, blankets and other property that had been pledged for drinks by the soldiers, who have stolen at least \$5,000 worth of Government property. It was reported last night that more than \$2,000

worth of the property had been recovered. The officer who had been in charge of the Quartermaster's Department for several months was recently ordered to the Philippines and Lieut. Mitchell of the 123d Coast Artillery was placed in charge. An inventory of the goods in the storehouse was made. Wholesale thefts were then dis-

covered. An investigation showed that the men had got into the storehouse through a rear entrance to the upper floor. They cut a hole in the floor, through which one of the men was lowered to the storeroom. The booty was hoisted to the floor above

with a rope. The raids are to be extended to Manhattan, where, it was said by an officer at the reservation, a large quantity of the stolen property had been taken. The raids on the hotels and saloons in the vicinity of the reservation yesterday were carried on by a sergeant in command of a squad of men consisting of a corporal and four privates. When a hotel keeper denied that he had anything belonging to the Government, the sergeant ordered his men to search the place. In one place, not more than a hundred yards from the rear of the reservation, a wagonload of shoes, overcoats, blankets, fur caps, gloves and other property was found. The stuff taken from

his place alone is said to be valued at \$150. Two saloons in Bath Beach yielded a large amount of spoils and Police Captain Bedell and his detectives have been asked to investigate with a view to bringing the proprietors into court on a charge of receiving stolen property. In one of the saloons raided it is said that the soldiers found a score of blankets piled up on the proprietor's bed, while a large quantity of uniforms and other equipments was found cased up and ready for shipment to a Manhattan dealer in second hand clothing. It was through the information obtained in this raid that the officers at the reservation hope to make their raids in Manhattan and recover a large amount of the property not

yet accounted for. One enlisted man has disappeared since the thefts were discovered. He is sought by the officials, it being understood that he is in a position to tell where the goods that have been stolen were pledged and by

YANKED TARS FLOM THEATRE. Went to the Play Instead of Reporting on

Time at Navy Yard. Just as Maurice Freeman, playing the character of Edmund Dantes in the play 'Monte Cristo," at the Columbia Theatre. Brooklyn, on Tuesday night climbed out of the stage sea and on to a property rock to announce "I'm saved and the world is mine," two marines and a sergeant from the Brooklyn navy yard marched down the aisle and yanked from their seats a pair of youthful tars. These two were among a large force of jackies that were attending the show, which is quite popular among seafarers. The arrest caused a commotion, and as the prisoners were being led out James Waldron, the business manager of the theatre, ventured to inquire of the sergeant the nature of the offence for which the sailors were arrested. "Desertion," applied the gengent.

the sailors were arrested. "Desertion," replied the sergeant.
Yesterday afternoon the theatre management received a polite note from Rear Admiral Coghlan, the commandant of the navy yard, in which he apologized for the action of the sergeant in taking the men prisoners during the progress of the play. The Admiral explained that the two sailors were due at their post on the battleship Maine at 6 o'clock in the evening and that when they failed to put in an appearance.

when they failed to put in an appearance a searching party was sent out for them.

The Admiral said further that owing to the fact that the battleship Maine, the cruiser Chattaneoga and a large force of marines were at the navy yard it was absolutely necessary that the rules concerning leaves be strictly enforced.

lutely necessary that the rules concerning leaves be strictly enforced.

Business Manager Waldron hit upon a scheme to assist the navy yard authorities in maintaining proper discipline and he communicated it by telephone to Admiral Coghlan. The plan was to have a sailors' night this evening, and Waldron offered to reserve a block of 400 seats in the orchestra for the tars, provided they got a night off. The offer was accepted by Admiral Coghlan, who agreed to give that number of men a who agreed to give that number of men a leave of absence from 7:30 until midnight.

OCEANIC'S CHATTY TRIP.

First White Star Boat to Talk With Viewless

Ships All the Way Across. The White Star liner Oceanic, in last night rom Liverpool and Queenstown, had for the first time wireless talks all the way across the sea with ships she passed, but did not sight. She is the first vessel of the White Star fleet to receive the Marconi equipment, and the rest will have it later. Among her passengers were J. B. Duke the tobacco merchant, who is returning from his honeymoon trip; J. Bruce Ismay, head of the International Mercantile Marine; Henry A. Bowring, Robert P. Porter, Miss Julie Mackay, the pantomimist, who has appeared, she says, in every civili country in the world and made herself understood: Mr. and Mrs. Gerard Oakes, James Archibald, F. J. Rutherford, Perci-val Farquiar, W. H. Wallace and Mr. and Mrs. Charles Worster.

THEIR OWN FIRE FIGHTERS.

Mr. and Mrs. H. Van Rensselaer Kennedy

Save Their Country Home at Hempstead. HEMPSTEAD, L. I., Feb. 8.-Mr. and Mrs. H. Van Rensselaer Kennedy of the Meadow Brook Hunt Club, whose country home is just south of this village, saved their house from destruction on Tuesday without calling in the Hempstead vamps. The fire, caused probably by a defective flue from an open grate, had a good start when Mrs. Kennedy and her children discovered it. With her husband and the servants she formed a bucket brigade, rigged up a small fire hose and, after an hour's hard work and some

Breakfast foods have come, breakfast foods have gone, since Wheatena began twenty-five years ago. Wheatena sells better than ever.—Adv.

VAIN HUNT FOR THE NEWPORT. Vessels From Norfolk Fall to Find Disabled

Gunboat-Sighted Again Feb. 7. NOBFOLK, Va., Feb. 8 .- No tidings have come to the navy yard of the disabled gunboat Newport. The tug Wahneta went out of the Virginia Capes yesterday and searched all day for her. The gunboat Hornet went out early this morning and returned this afternoon after an unsuccess-

ful search. The officials at the navy yard have no serious fears for the safety of the Newport, but they will be anxious until they hear she has reached port. They believe that she is making for some port nearer the scene of the accident than Norfolk.

The Newport was sighted on Feb. 3 by the steamer Admiral Schley. She was then seventy miles south of Hatteras and was attempting to make Norfolk. The Mallery liner Concho, in from Galveston and Key | question of reciprocity. The treaty, as West, reports that she passed off Hatteras, on Tuesday morning, Feb. 7, a United States war vessel proceeding under full sail, which signalled that she wished to be reported. The Concho's skipper could not make out her name, but as she is barkentine rigged she is doubtless the Newport.

FURRIER ASPHYXIATED In His Hotel Room, After Dining Out With

Other Fur Dealers. J. G. Strohmeyer, a furrier, of 22 Churchill street, Toronto, Canada, was found dead in his room in the St. George Hotel, 49 East; Twelfth street, yesterday afternoon. Gas was leaking from a partly closed jet. Coroper Scholer said that Strohmever had undoubtedly died by accident. He had gone to bed late on Tuesday night after being out to a dinner with a party of fur dealers. It was apparent that he had in some way

A GRADUATE AT 73.

Former Stave Woman Learns to Read, and Gets Prize Over Elementary Pupils.

NEW HAVEN, Conn., Feb. 8 .- Mrs. Jane Fans, a negro, 73 years old, was graduated from the elementary grade of the Hillhouse Evening School last night with honors. Mrs. Evans is an ex-slave.

For many years she has been very anxious to learn to read, and recently applied at the; evening school for instruction. She was a diligent student and faithful in attendance. With a child's primer she made good | ject to the same penalties as Newfoundland progress, so that she now is very proud to be / vessels. They shall also have the privilege

TO TAX BACHELORS IN TEXAS. You Will Have to Be Wealthy to Stay Single Bown There.

Austin, Tex., Feb. 8 .- A bill has been introduced into the Legislature providing for a graduated tax on bachelors. The tax begins at 21 years of age and increases until it becomes almost prohibitory; at the age of 35, except to men of wealth.

SON TO FORMER MRS. MOLINEUX, Who Married Sloux Falls Lawyer Who Got States free of duty. Also all packages in which the said fish and oils may be exported

The bill will probably be passed.

SIOUX FALLS, S. D., Feb. 8 .- It was anborn Monday morning to Mr. and Mrs. Wallace D. Scott of this city.

Mrs. Scott was formerly Mrs. Roland B. Molineux of New York city. Scott is a lawyer here and appeared for his present wife in her divorce proceedings.

CECILIA LOFTUS QUITS HOSPITAL. Declares She's Well Enough to Act and Starts to Rejoin Company

ARRON, Ohio, Feb. 8.-Miss Cecilia Loftus, who fainted at the performance of "The Serio-Comic Governess" at the Colonial Theatre Monday evening, and who was reported as suffering from nervous prostration, declared to-day that she was well enough to resume her duties and left the City Hospital

Her physician protested, but despite his advice she left to rejoin her company at Toronto. The dates for the three intervening days had been cancelled

STEAMERS IN HOT OCEAN RACE.

Finish Half a Length Apart in Rough Trip From Portland to Boston. PORTLAND, Me., Feb. 8.—For 108 miles. from Boston to Portland, the two big passenger steamers, the Calvin Austin of the International Division of the Eastern Steamship Line and the Governor Dingley of the Portland Division, raced through the rough water of yesterday prow and prow, at no time being over a quarter of a mile

apart. In a great finish, with the passengers all on deck, cheering and waving, the Austin passed Spring Point lighthouse at the en-trance of Portland harbor just half a length The Austin and the Dingley left Boston at 6:05 A. M. and made Portland harbor at 12:20 noon. About thirty miles from Portland steam went down on the Dingley and she fell a quarter of a mile behind, but she regained it all by a terrific burst

WEST SIDE TUNNELLING SOON. Intention is Not to Interfere With Surface

Traffic in Sixth Avenue. William G. McAdoo, president of the New York and Jersey Railroad Company, said yesterday that work on the Sixth avenue and Ninth street extension of the tunnel would be begun just as soon as Mayor

McClellan signed the franchise granted by the Aldermen on Tuesday. "Our intention," he said, "is to build the tunnels very much in the same way as the lower Broadway subway is building. There will be no interference with the traffic on the service. I think that the work can be finished in two years. The work on the tunnel under the river is proceeding rapidly and while we have not yet begun on the Cortlandt street tunnel to Jersey City verything is in readiness for an sany

Woman Dead at the Age of 107.

Special Cable Despatch to THE SUN LONDON, Feb. 8.-Henrietta Johnson died here last evening at the age of 107. She was born in Baltimore and was in the service of an American family named Cator.

Lehigh Valley R. R. Ice Bridge Excursion Feb. 11th, return 18th. Tickets good all trains, includ-ing Black Diamond. 385, 1234 Broadway.—Ads. Quickest Line to Cleveland.

\$5.00 NIAGARA FALLS & RETURN

TREATY WITH NEW FOUNDLAND

PRICE TWO CENTS.

THE HAY-BOND CONVENTION DIS-CUSSED IN THE SENATE.

Some Amendments Made and a New Article Added-It Is Expected That the Treaty Will Be Ratified at the Next Executive Session-Text of the Treaty.

WASHINGTON, Feb. 8 .- The Senate was in executive session three hours this afternonn, discussing the proposed reciprocity treaty with Newfoundland. This socalled Hay-Bond convention, which was in fact signed by Secretary Hay and the late Sir Michael Herbert, was amended in many respects by the Committee on Foreign Relations, and most of these amendments were agreed to by the Senate. In important respects, however, the Senate disagreed with the committee amendments, after a long debate on the general finally amended, went over, and it is expected that it will be ratified to-morrow, or whenever the next executive session is

Strong speeches against attempting to amend the tariff by treaty stipulations were made by a number of leading Senators, including Mr. Platt of Connecticut.

Mr. Scott of West Virginia opposed that part of Article II. providing for the free admission of Newfoundland coal and coal oil and iron ores, and his motion to strike out those provisions prevailed on a roll call by a vote of 28 to 23.

On motion of Mr. Heyburn of Idaho the treaty was amended by striking out the provisions for continuing it in force after

The text of the treaty is given below. The words in brackets in Article II. are those stricken out by Mr. Scott's amendment. Article VI. as a whole is a committee amendment and is intended to meet the turned the gas partly on after turning it off. objection that the Executive and the Senate by treaty are attempting to amend the tariff laws. By keeping the treaty in abeyance until the tariff laws are so amended as to conform to the rates of duty and exemptions specified in the treaty, the Republicans in the Senate are satisfied that

> no harm can come from ratification. The treaty as amended by the committee.

or so far by the Senate, reads as follows: Article 1 .- United States fishing vessels entering the waters of Newfoundland shall have the privilege of purchasing herring, caplin, squid and other bait fishes at all times, on the same terms and conditions and subprogress, so that she now is very produced of touching and trading, buying and sale to read her Bible and newspaper. Sheep able to read her Bible and newspaper. Sheep and oil and procuring supplies in Newspaper and procuring supplies in Newspaper and produced the prize award among 250 pupils. lations, but without other charge than the payment of such light, harbor and customs dues as are or may be levied on Newfound-

land fishing vessels. Article II. -Codfish, seal oil, whale oil, whale meat, glue stock, unmanufactured whalebone and other by-products of the whaling industry, sealskins, herrings, salmon, trout and salmon trout, lobsters, cod roes, tongues and sounds, being the produce of the fisheries carried on by the fishermen Newfoundland (and ores of metals, coal and coal oil, the product of Newfoundland's mines, and slates from the quarry, un-trimmed] shall be admitted into the United shall be admitted free of duty. It is under stood, however, that cod oil and codfish nounced here this evening that a son was and herring smoked, dried, salted, pickled,

tion, are not included in the provisions of this Article III .- The officers of customs of the Newfoundland port where the vessel clears shall give to the master of the vessel a sworn certificate that the fish shipped were the produce of the fisheries carried on by the fishermen of Newfoundland, which certificate shall be countersigned by the

consular agent of the United States.

Article IV .- When this convention shall come into operation and during the contin ance thereof the following articles imported into the colony of Newfoundland fro United States shall be admitted free of duty: Agricultural implements and machinery as follows: Scythes, sickles or reaping field rollers, mowing machines, self-binders, reapers, sulky and other ploughs, harrows, horse rakes, grain and seed drills, stump-

ing machines, threshers and separators, hay and feed cutters, bone crushers, air notors, cream separating machines.

Mining machinery: Rock drills, coal cutters, pumping engines of all kinds to be used in transferring water from the underground or open pit workings to the surface, hoisting machines or other machinery to be used as a motive power to lift eres or coal from un-derground or from an open pit to the surface; crushers or other machinery to be used in the actual breaking of ores so as to facilitate refining or transportation; special machinery of all kinds to be used for the washing, concentration, reduction, or the refining of any ore or coal, or for the manufacture of brick; prospecting drills of all kinds to be used for proving the extent or existence underground of coal, oil or ore bodies; cranes and derricks when used for the actual handling of coal or ore from the workings to the surface; compressors to be used for the operation of any of the above machines: fire clay and fire brick to be used in the construction of any ore reduction or smelting plant; dynamite, de-tonators, blasting powder, fuses of all kinds, blasting batteries, battery wire and drill steel; wrought iron or other pipes to be used in transmitting steam, compressed air or water through the underground or open pit workings, and from the point of accumulation to the point of exit; hoisting and hauling cables to be used in the lifting and trans-porting of coal or ore from the working face to the point of shipment; machinery of other equipment to be used in conveying coal or ore within the mine or from the workings to

the surface. Raw cotton and cotton yarn, corn for the manufacture of brooms and whisks; chair cane, unmanufactured; cottonseed oil, olive oil, boracio acid, acetic acid, preservatine when imported by manufacturers to be used in the preservation of fish or fish glue; bemp, hemp yarn, coir yarn, sisal, manila, jute, flax and tow; Indian corn; oil cake, oil cake meal, cottonseed cake, cottonseed meal, pease, meal bran and other preparations for cattle feed; manures and fertilizers of all kinds and sulphuric acid when imported to be used in the manufacture of manures lines and twines used in connection with the fisheries, not including sporting tackle; ores protected by patent; engravers' plates of protected by patent; engravers' plates of steel, polished, for engraving thereon; photo-engraving machinery, viz: Router, bevelling and squaring machines, screen holders crossline screens and chemicals for use in engraving, wood for blocking, engraving tools and press plates; printing presses, printing paper, printing types, printers' ink, when imported by bona fide printers

"N. Y. & Fla. Special," 2:10 P. M.: "Fla. & West Indian Ltd.," 9:25 A. M. Unetcelled service via Penn. & Atlantic Coast Line, 1151 B'way, N. Y. —Ads.

NIAGARA FALLS AND RETURN, 88. via Lackawanna Railroad. Tickets good going Feb. 11, returning till Feb. 13.—Add.